

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
 PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
 ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
 DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION <i>Josephson & Associates</i>	2. DATE (YYYYMMDD) <i>20050713</i>	3. TIME <i>1000-1200</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME <i>Mitchell John Robert</i>	6. SSN <i>460-02-7610</i>	7. GRADE/STATUS <i>CIV</i>	
8. ORGANIZATION OR ADDRESS <i>912 West 6th Ave, Anchorage AK 99501</i>			

9. I, *John R. Mitchell*, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: Why do you believe you were incorrectly reported as AWOL?

A: I January my AWOL does not have merit because the FT Richardson Occupational Nurse Ms. Carryer and my supervisor Mr. Moore had a 3 way conversation with me and the outcome was that I was to be on bed rest until Monday. When I returned to work I would bring a doctors note to account for my time. I did this and found that I had been reported AWOL. See letter from Ms Carryer.

After my heart episode I e-mailed Ms. Carryer my Family Medical Leave Act paperwork as well as had my attorney Mr. MS Dinnel send her a copy.

Q: What was your understanding of how to process the FMLA?

Basically, I would turn the paperwork in and I would be informed if the paperwork was denied. I never heard it was denied so I assumed it was approved. I had turned the paperwork into Ms Carryer and it was to be processed IAW her protocol.

Q: What constituted the "illegal order"?

I was given an order to show up in person prior to the start of shift and Mr. Dunn was to then determine if I was ill.

Q: How and when did you file an EEO Complaint in January 05?

I wrote a letter to Ms Martinez as per BG Hiri request. In my letter I expressed a desire to file a formal EEO complaint. I also e-mailed a copy of my request to BG Hiri and Col. Reoyo the USAREK Chief of Staff. ^{JRM} This I never heard anything from my e-mail request. This request was sent by me around the middle of January 05.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

*JRM*PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER

STATEMENT OF Mr. Mitchell TAKEN AT Anchorage DATED 13 Jul 05

9. STATEMENT (Continued)

NOT USED
JAM

AFFIDAVIT

I, John A. Mitchell, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

JAM
(Signature of Person Making Statement)

WITNESSES:

Joseph P. Josephson
Josephson + Associates, P.C.
912 W. 6TH Ave., Anchorage, AK 99501
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13TH day of July, 2005 at Law Offices of Josephson & Ass.

D. L. Shutt
(Signature of Person Administering Oath)

David L. Shutt
(Typed Name of Person Administering Oath)

COL, US Army, Invest Officer
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

JAM

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